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VIA EMAIL

March 28, 2016

Re: *DB Structured Products, Inc. et al. v. Ally Financial, Inc.*,
15-mc-410

The Honorable Martin Glenn
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Dear Judge Glenn:

We represent Movants-Defendants DB Structured Products, Inc. and MortgageIT, Inc. in the above-captioned matter.

This matter concerns a subpoena, served by Movants-Defendants on Respondent Ally Financial, Inc. (“Ally”), seeking certain documents in connection with Movant-Defendants’ defense of claims pursued by Ally’s former affiliate Residential Funding Corporation (“RFC”). RFC’s claims relate to the ResCap bankruptcy presided over by Your Honor. In re: Residential Capital, LLC, et al., 12-12020(MG).

The parties met and conferred in connection with the subpoena. On December 18, 2015, Movants-Defendants filed their Motion To Compel Compliance With Subpoena Issued To Ally Financial, Inc., in the Southern District of New York. *DB Structured Products, Inc. et al. v. Ally Financial, Inc.*, 15-mc-410, Dkt. no. 1. On January 18, 2016, Ally filed its opposition. *Id.* at Dkt. no. 24. On February 8, 2016, Movants-Defendants filed their reply. *Id.* at Dkt. no. 26. On February 23, 2016, Ally moved to refer this matter to this Court. *Id.* at Dkt. no. 30. Ally’s motion was granted on February 25, 2016. *Id.* at Dkt. no. 34.

The parties seek to schedule a conference with Your Honor, in light of this Court’s familiarity with issues related to the ResCap Bankruptcy, and in order to discuss the scheduling of a hearing on the merits of Movants-Defendants’ Motion To Compel Compliance With Subpoena Issued To Ally Financial, Inc.

SIMPSON THACHER & BARTLETT LLP

The Honorable Martin Glenn

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March 28, 2016

Respectfully,

/s/ William T. Russell, Jr.

William T. Russell, Jr.

cc: Jason Parish, Esq.
Anthony Alden, Esq.